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October 23, 2007

Chief, Rules Review and Directives Branch  
Mail Stop T-6D59  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

8/31/07  
72FR50414  
(5)

RE: Uranium Recovery GEIS; Scoping Comments

Dear Sir:

At the NRC's GEIS public meetings in Albuquerque, NM on August 9<sup>th</sup> and in Gallup, NM on September 27<sup>th</sup>, Mr. Eric Jantz of the NM Environmental Law Center twice made false claims that there has not been acceptable and successful groundwater restoration at Power Resources, Inc.'s (PRI) Smith Ranch/Highland ISR uranium mine in Wyoming. Mr. Jantz failed or was unwilling to share the following facts with your panel and the public at these meetings.

1. Because the groundwater at Smith Ranch/Highland is associated with economic uranium deposits, it contains uranium and extremely high values of Radium-226 and Radon-222. The result is that this groundwater is unsuitable for any purpose, and has never been nor will ever be used for any commercial, domestic, industrial or agricultural purpose except for the production of uranium.

2. The high Ra-226 content that naturally occurs precludes use of this water for Domestic Use (Class 1), Agricultural Use (Class 2), or Livestock Use (Class 3). Therefore, the WDEQ routinely classifies this and similar waters as suitable only for industrial use (Class 4), which Class has no specific water quality requirements.

3. Because of the slow rate of groundwater movement (~5.6 feet/year), data given to the Wyoming DEQ and PRI show it will take at least 50 years for restored ground water to reach down-gradient monitoring wells, which are only 400 feet from the production zones.

SOURCE Review Complete  
Template = ADM-013

E-RIDS = ADM-03  
Ass = P. Michalski  
(PRM2)

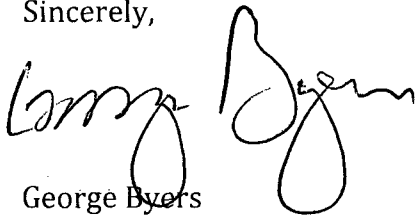
4. Studies undertaken at the site established that significant natural attenuation of all constituents of concern (Fe, Mn, Se, U and Ra-226) will occur.

5. PRI provided its "Ground Water Quality Stabilization Report" to WDEQ on March 31, 2000 and showed sufficient information regarding water quality and data levels to prove the aquifer to be sufficiently stable and that its restoration met permit requirements and restoration levels.

6. The Report also provided sufficient data in sufficient detail to prove that the restored groundwater quality, in combination with the existing natural geochemical attenuation processes, will sufficiently protect downgradient ground water quality. ISR mining is a safe, proven technology that leaves contaminants where they naturally occur. We appreciate this opportunity to comment and clarify the misinformation placed into the record at the Albuquerque and Gallup public meetings.

I believe the NRC is well aware of the facts stated made above, but it is necessary that the record of the GEIS public meeting be clear on this.

Sincerely,

A handwritten signature in black ink, appearing to read "George Byers", with a large, stylized loop at the end.

George Byers  
Vice President  
Neutron Energy Inc.  
720-344-4869